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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/805,535

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Alireza Mehrnia

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11/14/2005

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EXAMINER

BURD, KEVIN MICHAEL

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/805,535	Applicant(s) MEHRNIA ET AL.	
	Examiner Kevin M. Burd	Art Unit 2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,9-12,19-22,29 and 30 is/are rejected.
- 7) ☒ Claim(s) 3-8,13-18 and 23-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This office action, in response to the remarks filed 9/1/2005, is a non-final office action.

Response to Arguments

2. Applicant's arguments filed 9/1/2005, with respect to the rejection of claims 1-30 under 35 USC 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejection are made in view of Counselman, III (US 4,912,475) and Norman et al (US 6,282,231).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 9, 11, 12, 19, 21, 22 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Counselman, III (US 4,912,475).

Regarding claims 1, 11 and 21, Counselman discloses an apparatus and method for selecting a GPS channel (column 22, lines 15-20). The channel operates at a C/A clock signal (column 3, lines 33-45). One tracking channel is assigned to each satellite and selectively detects only one carrier from its assigned satellite (column 22, lines 15-

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20). The tracking station determining which channel is to be enabled, uses clock 108 (column 21, line 68 to column 22, line 10). Additional information about the selection is found in column 30, line 57 to column 31, line 6. Figure 6 discloses an increment register and accumulator for determining a rate range estimate (column 33, line 60 to column 34, line 14). The PLL is rate aided which furnishes an update range rate estimate ten times per second (column 34, lines 15-24).

Regarding claims 2, 12 and 22, the channel is selected according to channel selection information.

Regarding claims 9, 19 and 29, in a GPS system, the frequency of a C/A clock is 1.023 MHz. The clock signal is derived from a stable reference standard such as a commercially available cesium atomic beam resonator controlled oscillator (column 21, lines 53-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10, 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Counselman, III (US 4,912,475) in view of Norman et al (US 6,282,231).

Regarding claims 10, 20 and 30, Counselman discloses the apparatus and method described above in paragraph 3. Counselman does not disclose the channel

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enable signal corresponds to twelve satellites in the GPS. Counselman discloses one tracking channel is assigned to each satellite and selectively detects only one carrier from its assigned satellite (column 22, lines 15-20). Counselman does not disclose there are twelve satellites in the GPS. Norman discloses GPS receivers will receive signals from as many as twelve satellites (column 4, lines 18-30). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the receiver capable of receiving information from twelve satellites of Norman into the method and apparatus of Counselman. The more satellites the receiver is capable of tracking the more information can be received by the receiver.

Allowable Subject Matter

Claims 3-8, 13-18 and 23-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Burd whose telephone number is (571) 272-3008. The examiner can normally be reached on Monday - Friday 9 am - 5 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Burd
11/10/2005


KEVIN BURD
PRIMARY EXAMINER